

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Save the Scenic Santa Ritas, *et al.*,

Plaintiffs,

v.

U.S. Army Corps of Engineers, *et al.*,

Defendants,

and

Rosemont Copper Company,

Intervenor-Defendant.

No. 4:19-cv-00177-TUC-JAS (Lead)  
No. 4:19-cv-00205-TUC-JAS (C)  
**CONSOLIDATED**

**[PROPOSED] ORDER DISMISSING  
COMPLAINTS FOR LACK OF  
SUBJECT-MATTER JURISDICTION**

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Intervenor-Defendant Rosemont Copper Company ("Rosemont") has moved for an order dismissing all of Plaintiffs' claims in the above-entitled consolidated actions for lack of subject-matter jurisdiction because their claims have become moot. (Doc. \_\_\_\_.) Rosemont has surrendered the Clean Water Act permit which is the subject matter of the claims. Therefore, effective relief can no longer be granted by the Court.

THEREFORE, having reviewed Rosemont's motion to dismiss and the parties related filings, and good cause appearing therefor,

IT IS HEREBY ORDERED that Rosemont's motion to dismiss Plaintiffs' claims for lack of subject-matter jurisdiction is granted.

IT IS FURTHER ORDERED that the complaints in the above-entitled consolidated

1 action are dismissed.

2 IT IS FURTHER ORDERED that in light of this determination regarding the Court's  
3 subject-matter jurisdiction, all pending motions are denied.

4 The Clerk is directed to enter a judgment consistent with the foregoing and denying  
5 all relief sought by Plaintiffs.

6 DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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10 Honorable James A. Soto  
11 United States District Judge  
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